

# Notice of Allowability

Application No.

10/823,504

Examiner

Justin Y. Lee

Applicant(s)

DIGGELEN ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/10/07.
2. ☒ The allowed claim(s) is/are 12-14, 16, 17, 18-22, 27-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Due Nguyen*  
DUC NGUYEN  
Supervisory Patent Examiner  
TC-2600

***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

1. (Currently Amended) A method of processing position information in a mobile device, comprising:

receiving a request for a position to be computed within a predefined period of time;

computing a best position and a corresponding indicia of accuracy within said predefined period of time;

comparing said indicia of accuracy to a threshold;

retaining said best position in a cache in response to said indicia of accuracy satisfying said threshold;

searching said cache for a previously retained position having a best accuracy in response to said indicia of accuracy failing said threshold; and

sending an indication of no accurate position to a server in response to no previously retained position being stored in said cache.

***Allowable Subject Matter***

3. Claims 12-14, 16, 17, 18-22, 27-38 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Applicant's independent claim 12 is drawn to a method of processing position information in a mobile device. Applicant's invention comprises, receiving a position request to be computed within a predefined period of time; computing a best position and a corresponding indicia of accuracy within the predefined period of time; comparing the indicia of accuracy to a threshold; storing the best position if the indicia of accuracy satisfying the threshold; searching the saved best position for a previously retained position having a best accuracy in response to said indicia of accuracy failing said threshold; and sending an indication of no accurate position to a server in response to no previously retained position being stored in said cache.

Applicant's independent claim 16 is drawn to a method of processing position information in a mobile device. Applicant's invention comprises, receiving a position request to be computed within a predefined period of time; computing a best position and a corresponding indicia of accuracy within the predefined period of time; comparing the indicia of accuracy to a threshold; storing the best position if the indicia of accuracy satisfying the threshold; searching the saved best position for a previously retained position having a best accuracy in response to said indicia of accuracy failing said threshold; comparing the accuracy of said previously retained position to a second threshold; and sending the previously retained position to a server in communication with said mobile device in response to said best accuracy satisfying said second threshold.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Woodard et al. (US 2005/0200492), Bloebaum et al. (US 6,433,735), Takeuchi et al. (US 2003/0050077), Shamoto et al. (US 2003/0045304), and Jijina et al. (US 2004/0203569) all disclose various positioning method.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Y. Lee whose telephone number is (571) 272-5258. The examiner can normally be reached on M - F 8:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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4/2/07

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